Appl. No.: 10/774,012 Amdt, Dated: 08/23/2005 Off, Act. Dated: 08/04/2005

REMARKS/ARGUMENTS

The Examiner has determined that the application contains two inventions: claims 1-42, directed to an apparatus for collecting mixtures of solid and liquid waste materials; and claims 43-48, directed to a method of controlling concrete washout.

In response, the applicant elects the invention of claims 1-42. This restriction is without traverse and the applicant cancels claims 43-48 without prejudice to or disclaimer of the subject matter disclosed therein.

In addition, applicant has amended claim 40 to correct a minor typographical error. Entry is respectfully requested.

Date:

Respectfully submitted,

Jefin P. O'Banion, Reg. No. 33,201 O'BANION & RITCHEY LLP

400 Capitol Mall, Suite 1550 Sacramento, CA 95814

(916) 498-1010